

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:17CR141
)	
vs.)	
)	
LUTHER GILMORE,)	ORDER
)	
Defendant.)	

This matter is before the court on defendant's Motion to Continue Trial [32]. Counsel needs addition time to prepare for trial or to conduct plea negotiations. Counsel indicates that defendant understands the additional time may be excludable time for the purposes of the Speedy Trial Act and has previously comply with NECrimR 12.1(a) at filing [23] For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [32] is granted as follows:

1. The jury trial now set for November 6, 2017 is continued to **January 2, 2018**.
2. The defendant shall file the affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) forthwith.
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 2, 2018**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED November 1, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge